

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**WINSOUTH CREDIT UNION,
Individually and on Behalf of All
Similarly Situated,
Plaintiff,**

vs.

**MAPCO EXPRESS, INC., and DELEK
US HOLDINGS, INC.,
Defendants.**

)
) **CASE NO.: 3:14-cv-1573**
)
) **Hon. Waverly D. Crenshaw Jr.**
)
) **MOTION FOR AN ORDER**
) **PRELIMINARILY APPROVING**
) **PROPOSED SETTLEMENT, APPROVING**
) **NOTICE, SCHEDULING FINAL**
) **APPROVAL HEARING, AND**
) **CONDITIONALLY CERTIFYING**
) **SETTLEMENT CLASS**

Pursuant to Fed. R. Civ. P. 23(e), WinSouth Credit Union and First National Community Bank (“FNCB”) (collectively, “Plaintiffs”), by their counsel, hereby move this Court for entry of an Order: (1) certifying the Settlement Class for purposes of settlement; (2) appointing Plaintiffs as representatives of the Settlement Class; (3) appointing Plaintiffs’ Counsel as Settlement Class Counsel; (4) granting preliminary approval of the proposed Settlement; (6) directing that the notice to the Settlement Class be disseminated by the Settlement Administrator, Dahl Administration LLC, in the manner described in the Settlement; (7) establishing a deadline for Settlement Class members to request exclusion from the Settlement Class or file objections to the Settlement; and (8) setting the proposed schedule for completion of further settlement proceedings, including scheduling the final fairness hearing.

This Motion is based on the record in this case, as well as: (1) Plaintiffs’ Memorandum of Law in Support of Plaintiffs’ Motion for an Order Preliminarily Approving Proposed Settlement, Approving Notice, Scheduling Final Approval Hearing, and Conditionally Certifying Settlement Class; (2) the Declaration of Stephen J. Teti; and (3) the several Exhibits filed therewith, as well as any additional materials or argument that may be presented to the Court.

Dated: August 25, 2016

Respectfully submitted,

/s/ J. Gerard Stranch, IV

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CERTIFICATE OF SERVICE

I, J. Gerard Stranch, IV, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system and served via ECF and/or via United States mail, postage pre-paid, upon the following:

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Dated: August 25, 2016

/s/ J. Gerard Stranch, IV

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